



PATENT

Atty. Docket No. 436711

Express Mail Label: EV509127489US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/690,237
Inventors: Eric P. Krantz, Douglas J. DeAngelis and Kirk Sigel [**As Corrected**]
Filed: 20 October 2003
Title: METHOD AND APPARATUS TO EFFECTIVELY REDUCE A
NON-ACTIVE DETECTION GAP OF AN OPTICAL SENSOR
Group Art Unit: 2878
Examiner: Don J. Williams
Confirmation No.: 4932

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP IN AN APPLICATION
Under 37 CFR §1.48(a)

Dear Sir:

Applicants request a change of inventorship in accordance with the provisions of 37 CFR §1.48(a), as all of the correct inventors are not named in the above-referenced U.S.

Nonprovisional Patent Application.

1. The following persons are currently listed as the inventors of this application:

Eric P. Krantz

Douglas J. DeAngelis

2. Applicants request correction of inventorship to list the following persons as the actual inventors of this application:

Eric P. Krantz,

Douglas J. DeAngelis

Kirk Sigel

09/21/2006 HLE333 00000018 120600 10690237

03 FC:1464 130.00 DA

3. Pursuant 37 CFR §1.48(a), this Request is accompanied by the following documents:

- (a) a statement from Kirk Sigel, who, through error was not included as an inventor of the above-referenced application upon filing, provided to show that his exclusion as an inventor of the above-referenced application occurred without deceptive intent;
- (b) an oath or declaration by actual inventors Krantz, DeAngelis and Sigel, as required by 37 C.F.R. § 1.63;
- (c) authorization to charge the processing fee set forth in 37 C.F.R. § 1.17(i) to Deposit Account Number 12-0600, supplied herein and communicated in the attached Fee Transmittal; and
- (d) the written consent of the assignee.

Applicants believe no further fees are due, however, should any additional fee be deemed necessary in connection with this Request to Correct Inventorship, the Commissioner is authorized to charge Deposit Account 12-0600. Should any questions arise, please contact the undersigned attorney.

Respectfully submitted,

LATHROP & GAGE L.C.

Date: 9/19/2006

By: Heather Perrin
Heather F. Perrin, Reg. No.: 52,884
4845 Pearl East Circle, Suite 300
Boulder, Colorado 80301
Telephone: (720) 931-3033
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**STATEMENT OF NON-DECEPTIVE INTENT
BY PERSON BEING ADDED VIA REQUEST TO CORRECT INVENTORSHIP (37
C.F.R. § 1.48(a)(2))**

I, the person who is being added as an inventor by a Request to Correct
Inventorship of U.S. Application Serial No. 10/690,273, do hereby declare that the failure
to include my name as an inventor of this patent application occurred without any
deceptive intention on my part.



Kirk Sigel

4/19/2006



PTO/SB/01 (03-04)
 Approved for use through 07/31/2006, OMD 0651-0032
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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**DECLARATION FOR UTILITY OR
 DESIGN
 PATENT APPLICATION
 (37 CFR 1.63)**

☐ Declaration
 Submitted
 With Initial
 Filing
 OR
☒ Declaration
 Submitted after Initial
 Filing (surcharge
 (37 CFR 1.18 (e))
 required)

Attorney Docket Number 436711
 First Named Inventor Eric P. Krantz
 COMPLETE IF KNOWN
 Application Number 10/690,237
 Filing Date 20 October 2003
 Art Unit 4932
 Examiner Name Don J. Williams

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS TO EFFECTIVELY REDUCE A NON-ACTIVE DETECTION
 GAP OF AN OPTICAL SENSOR**

The specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 10/20/2003 as United States Application Number or PCT International

Application Number 10/690,237 and was amended on (MM/DD/YYYY) 01/23/2006 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's right certificate(s), or 355(b) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's right certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.



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PTO/SB/01 (09-04)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number <u>20955</u> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City	State	ZIP	
Country	Telephone	Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Eric P.		Family Name or Surname KRANTZ	
Inventor's Signature 		Date 4/28/2006	
Residence: City Ithaca	State NY	Country US	Citizenship US
Mailing Address 179 Sheffield Rd			
City Ithaca	State NY	Zip 14850	Country US
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Douglas J.		Family Name or Surname DEANGELIS	
Inventor's Signature 		Date 5/8/2006	
Residence: City Ipswich	State MA	Country US	Citizenship US
Mailing Address 28 Turkey Stone Rd.			
City Ipswich	State MA	Zip 01903	Country US
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02L/R attached herein.			

[Page 2 of 2]

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PTO/SB/02A (09-04)


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DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**

Page 3 of 3

Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Kirk		SIGEL	
Inventor's Signature 		Date 4/19/2006	
Residence: City	Ithaca	State	NY
		Country	US
Mailing Address 223 Highgate Road			
Mailing Address			
City	Ithaca	State	NY
		ZIP	14850
		Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address			
Mailing Address			
City		State	
		Zip	
		Country	
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address			
Mailing Address			
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		Zip	
		Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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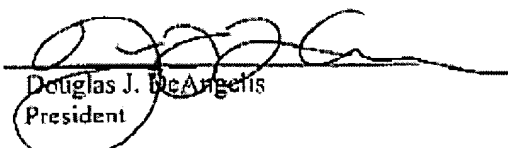
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CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP
Under 37 C.F.R. § 1.48(a)

The undersigned certifies that he is the President of Lynx System Developers, Inc., and as such is authorized to act on behalf of Lynx System Developers, Inc.; that Lynx System Developers, Inc. is the owner by assignment of the entire right, title and interest in the United States Patent identified above; and a copy of the Assignment document was recorded in the U.S. Patent and Trademark Office on October 20, 2003 at Reel 014633, Frame 0659.

The Assignee of U.S. Patent Application Serial No. 10/690,237 hereby consents to the change of inventorship adding Kirk Sigel, as detailed in the Request to Correct Inventorship submitted herewith.

5/8/06
Date


Douglas J. DeAngelis
President

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